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BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
MEETING

August 20, 2007
4:33 p.m.

Community Dining Room (Rm. #139)
General Titus C. Hall Center (Bldg. #1)
Palm Bay Campus

PRESENT: Mr. James Theriac, Chair; Mrs. Alberta Wilson, Vice-Chair; Mrs. Dixie Sansom; Mr. James Richey; Dr. James A. Drake, Secretary; Mr. Philip Nohrr, Attorney

ABSENT: Mr. C. R. "Rick" McCotter III

1. CALL TO ORDER:

Mr. James Theriac, Chair, called the meeting to order.

a. Pledge of Allegiance

Mr. Theriac opened the meeting with the recitation of the Pledge of Allegiance.

b. Additions/Corrections to Agenda

There were no additions or corrections to the agenda.

2. CONSENT AGENDA:

Mr. Theriac recommended approval of the following consent agenda items:

3.a. Minutes – Board of Trustees Workshop– June 18, 2007
3.b. Minutes – Board of Trustees Meeting – June 18, 2007
3.c. Minutes – Board of Trustees Special Meeting – July 25, 2007
9.a. Approval of July Monthly Summary of Income and Expenditures
9.b. Approval of FY 2006-07 Capital Outlay Budget Amendment
9.c. Approval of FY 2006-07 Operational Budget Amendment

Mrs. Wilson moved approval of the consent agenda. Mr. Richey seconded the motion. All those voting in favor of the motion: Richey, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

3. APPROVAL OF OFFICIAL MINUTES OF PREVIOUS MEETINGS:

a. Minutes – Board of Trustees Workshop – June 18, 2007

Approved – consent agenda.

b. Minutes – Board of Trustees Meeting – June 18, 2007

Approved – consent agenda.

c. Minutes – Board of Trustees Special Meeting – July 25, 2007

Approved – consent agenda.

4. COMMUNICATIONS:

a. Report on Faculty Ratification of the UFF/BCC Agreement

Ms. Judi Schatte, President, UFF-BCC, reported on the faculty ratification of the UFF/BCC agreement, and thanked Dr. Drake and the Provosts for their assistance and cooperation in providing time and facilities for the negotiations. Ms. Schatte reported that 187 of 221 (85%) faculty members voted this year: 185 voted yes; two voted no. In response to a question from the Chair, Ms. Schatte characterized the negotiations as amicable and indicated that they progressed smoothly, with the College ultimately approving more than was asked for, including not only the resolution of a compression issue from the previous negotiations which had placed approximately twenty faculty members at a disadvantage, but also the immediate resolution of an issue involving requirements for the 170-day contract. Dr. Drake additionally reported that in the same spirit of openness and shared governance, the administration removed earlier restrictions that prevented UFF members from holding any meetings on College property, and from utilizing College-supported electronic communications to post notices of meetings and conduct other routine business.

A recommendation was made to move Agenda Item 8.b., Approval of Ratification of Agreement with UFF/BCC, for current discussion.

Ms. Sansom moved to modify the agenda and move item 8.b. on the agenda for discussion. Mrs. Wilson seconded the motion.

Mrs. Sansom requested documentation to reflect the changes in the UFF/BCC Agreement from last year. Dr. Astrab responded that changes are summarized on page 7 and pages 41-42 of the proposed agreement.

All those voting in favor of the motion: Richey, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

Mr. Theriac recommended a motion to approve the ratification of the UFF/BCC agreement.

Mrs. Sansom moved approval of approval of the ratification of the agreement with UFF/BCC. Mrs. Wilson seconded the motion.

Mrs. Wilson expressed appreciation to the negotiation team for the efficiency and friendliness of the negotiation process this year. Mr. Theriac concurred, and added that it demonstrates that the faculty at BCC is greatly valued by the College. The College team included Dr. Don Astrab, Dr. Amy Hendricks, Dr. Barbara Ake (alternate), Dr. Mike Kaliszeski and Mr. Phil Nohrr, Attorney. The UFF team included Ms. Judi Schatte, Dr. Laura Dunn, Dr. Rick Parrish, Ms. Norma Rudmik, Ms. Holly Kahler and Ms. Kerry Markey.

All those voting in favor of the motion: Richey, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

5. CITIZEN'S PRESENTATION:

None.

6. CONSTRUCTION AND DEVELOPMENT:

None.

7. OLD BUSINESS:

a. Report on Pending Legal Actions (Addendum)

Mr. Nohrr provided the report of pending legal actions to attendees. Mr. Nohrr advised that the report does not include matters that have not yet reached litigation, and also commented that matters of significance are anticipated by general counsel in the near future.

8. NEW BUSINESS:

a. Personnel Actions (Addendum)

Mr. Ross reported that Personnel Actions are routine and are provided for information only.

Mrs. Sansom inquired about a position (new hire) shown on page 23 of the report. Mr. Ross responded that the position is a production-related staff position budgeted by WBCC-TV. Ms. Sansom inquired about the status of funding efforts for WBCC, and in particular the contractual services provided by Pauley Management referred to on page 33 of the report. Dr. Drake commented that the amount of the current contract ($60,000) reflects federal funding obtained with the support of Pauley Management in prior years, although such funding proved to be substantially lower last year.

b. Approval of Ratification of Agreement with UFF/BCC (Addendum)

Moved to accompany Item 4.a. – Approved.

c. Approval of Extension of President's Contract (Addendum)

Mr. Theriac requested that Mr. Nohrr present item 8.d. , Report on President's Evaluation, prior to 8.c., Approval of Extension of President's Contract.

Mr. Nohrr reported that the Board is obligated by Florida statute to evaluate the President each year. Mr. Handley, the immediate past Chair, had presented to the Board his input based upon his association with Dr. Drake last year. Mr. Handley's evaluation was subsequently provided to each trustee for comment and integration. Mr. Nohrr reported that no additional comments were received from trustees, and hence that the evaluation is now being placed before the Board for its approval and for submission to the State Department of Education.

Mrs. Wilson reported that she had completed an evaluation of Dr. Drake independent of Mr. Handley's input, and had concurred with his ratings in all areas except facilities maintenance, for which she had assigned a slightly lower rating. Mrs. Wilson clarified that these maintenance issues predate Dr. Drake's appointment to the presidency, but that they warrant the College administration's prompt attention.

Board members discussed that the evaluation process could be more streamlined, and that while the key areas addressed in the current evaluation are appropriate, the method currently used to weigh these areas could be improved. Mr. Nohrr commented that the performance indicators referenced in Dr. Drake's employment contract should be aligned with the performance-evaluation procedures. It was agreed that the Board should convene a workshop to further discuss the presidential evaluation process. Mr. Theriac recommended a motion be made for approval of the President's evaluation.

Mrs. Wilson moved the approval of the President's evaluation. Mrs. Sansom seconded the motion. Those voting in favor of the motion: Richey, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

Mr. Theriac requested that Mr. Nohrr report on the renewal of the President's contract with BCC. Mr. Nohrr advised that the current contract extends through June 30, 2009. The contract contains a provision which allows the Board to extend the contract for an additional year at the close of each fiscal year, thereby providing a continuous or "rolling contract" for a three-year period. Mr. Nohrr further clarified that the extension is not automatic, however, and he reminded trustees that the contract also contains a provision for the termination of the contract, with severance provisions, by majority vote of the Board of Trustees. Mr. Nohrr advised that the President's salary is a separate issue that may be addressed on an annual basis. He concluded his comments by noting that at this time the Board is being asked to extend the President's contract through June 30, 2010. Mr. Theriac recommended extending Dr. Drake's contract to June 30, 2010, based upon his extraordinary performance to date.

Mrs. Wilson moved for approval of the President's contract through June 30, 2010. Mrs. Sansom seconded the motion.

Mr. Richey inquired if the contract renewal includes the same terms described in the current contract. Mr. Theriac responded that the Board is being asked solely to extend the contract.

Dr. Drake stated that he does not consider it appropriate to request the Board to consider a salary adjustment for him at this time because (1) he has not completed a full year of service as permanent President; (2) two new trustees have been appointed to the Board since he was selected for the permanent Presidency; (3) his compensation as President is markedly higher than it was in his previous position; and (4) the challenges of the current fiscal year do not warrant according any priority to the President's compensation. Mrs. Wilson added that the appropriate time to address a salary adjustment may be March 2008, the first anniversary of Dr. Drake's appointment as permanent President. Mr. Theriac recommended that the Board address the salary issue prior to June 2008, and clarified that the motion now before the Board involves voting for only the extension of the President's contract.

Those voting in favor of the motion: Richey, Sansom, Theriac, Wilson; opposed: none. Motion unanimously approved.

d. <u>Report on President's Evaluation (Addendum)</u>

Approved under 4.c. – above.

e. Request for Future Board Meeting/Workshop Agenda Items

Mrs. Sansom requested workshops to discuss Policy Governance, the President's evaluation process, and four-year program issues.

9. FINANCIAL ACTIONS:

a. Approval of the July Monthly Summary of Income and Expenditures (Addendum)

Approved – consent agenda.

b. Approval of FY 2006-07 Capital Outlay Budget Amendment (Addendum)

Approved – consent agenda.

c. Approval of FY 2006-07 Operational Budget Amendment (Addendum)

Approved – consent agenda.

10. REPORT OF THE PRESIDENT:

a. Reorganization of the Board

Dr. Drake reported that the College is required to report to the State the Board's election of officers each year. During the July 25, 2007 Special Board meeting, Mr. Theriac was elected as Chair and Mrs. Wilson was elected as Vice Chair. The College is also required to provide to the State the days, times and locations of Board meetings for the coming year, as approved by the trustees.

Mrs. Sansom suggested that Board workshops should not be separate from Board meetings, since most of the workshops involve presentations that could be given during the Board meetings. Mr. Theriac concurred. Mr. Nohrr commented that workshops are generally more informative and informal and no actions are taken. It was agreed that issues such as Policy Governance, the President's evaluation process, and discussion of four-year programs are substantial issues that may require considerable time for discussion, and hence may not be appropriate for a Board meeting.

Board members agreed upon 9:00 a.m. for the meeting time, on the third Monday of the month. The primary location for Board meetings will be the Cocoa Campus, with meetings once per year at the Melbourne, Palm Bay and Titusville Campuses. Dr. Drake will circulate a schedule to the trustees.

Dr. Astrab commented that having the Board meetings at 9:00 a.m. will likely affect the availability and participation of faculty members. Mr. Theriac commented that faculty members already dedicate numerous hours of service to the College, and added that holding Board meetings later in the day might present similar challenges for faculty who teach evening classes.

b. Committee Assignments (Addendum)

Dr. Drake commented that the assignments reflected in the table circulated to the Board is now outdated, and may or may not be at variance with the requirements of Florida

statutes. Mr. Nohrr confirmed that the statutes require the President and a member of the Board of Trustees to serve as voting members of the executive committee of each Direct Support Organization. Other committees included in the table appear to have been created on an as-needed basis. It was agreed that a new table would be developed to reflect Board membership on the Direct Support Organizations – namely, the Maxwell C. King Center for the Performing Arts, the Historic Cocoa Village Playhouse, and the Brevard Community College Foundation.

The Board agreed upon the following Committee assignments:

Maxwell C. King Center	Mrs. Wilson
BCC Foundation	Mr. Richey
Historic Cocoa Village Playhouse	Mrs. Sansom
Intercollegiate Athletics	Mr. Richey
Alumni Relations	Mrs. Wilson

Dr. Drake agreed to circulate a revised listing of committee assignments for the Board's approval.

Mrs. Wilson suggested that the College continue its relationship with the YMCA. Dr. Drake advised that from a legal standpoint, the College must be sensitive to conflict of interest issues involving the College and the YMCA. All negotiations between the College and the YMCA have been delegated to Mr. Frank Billings, Interim Vice President for Operations and Planning.

c. **Announcements**

Dr. Drake reported that preliminary enrollment data for Fall Term 2007 indicate that student credit-hours have increased by approximately 10 percent compared to Fall Term 2006. Although final enrollment data will likely be somewhat lower after add/drop, the increase in credit hours will be substantial compared to enrollment trends in the recent past. While this increase may be explained by the confluence of several factors, including recent increases in regional and statewide unemployment rates, the most significant factor appears to be the augmented marketing initiatives the College launched in recent weeks. Dr. Drake also commented that if unemployment rates continue to rise, enrollments will almost surely increase for the Spring Term 2008, as has long been the case with community-college enrollments during economic downturns. Although the projected shortfalls in state revenues will present substantial challenges to the College's ability to support significant enrollment increases this year, the College previously eliminated a number of senior-level administrative positions, and is prepared to put into place a series of temporary restrictions in order to further control operating-budget expenditures.

Dr Drake also announced that Dr. Brenda Fettrow has agreed to serve as Interim Executive Director of the BCC Foundation, effectively immediately. Dr. Fettrow will retain her current status and title as a Commissioner of the SACS Commission on Colleges, and will also continue to oversee Resource Development and Intercollegiate Athletics.

Dr. Drake reported that the College will also contract with Donovan Management, Inc., to conduct an assessment of the BCC Foundation prior to initiating a search for a permanent Executive Director. The principals of Donovan Management, Inc., include Mr. James Donovan, founding chief executive officer of the UCF Foundation, and Mr. Jonathan Flint, also a former chief executive officer of the UCF Foundation.

11. MISCELLANEOUS:

a. Lowe's Land Purchase

Mr. Nohrr reported that the instruments for the Lowe's land purchase have been signed, and are the funds are in escrow. It is anticipated that the Foundation will receive $300,000 within the next thirty days.

b. SACS Committee

Dr. Drake advised that it would not be appropriate for the College to maintain a SACS Committee at this time since the College is not currently in the reaffirmation cycle. Dr. Drake introduced Dr. Denise Young, Associate Vice President of the UCF Southern Region Campuses of Brevard Campuses. Dr. Young was responsible for coordinating the University-wide reaffirmation process for UCF, and will be a valuable resource for the College. Dr. Fettrow reported that the SACS Commission has scheduled a site visit for BCC in 2012.

c. Campus Hour Changes

Dr. Drake reported that the four-day week pilot program was a great success in terms of morale and cost and energy savings, The first edition of *BCC on the Move,* the collegewide newsletter, contains a summary of the pilot program. The College will begin a four and one-half day workweek on August 20, and will return to the four-day workweek in the summer of 2008.

d. Joint Meeting between the Legislative Delegation and the Board of Trustees

Ms. Sansom suggested a meeting with the legislative delegation and the trustees would be beneficial. Dr. Drake reported that the College has traditionally hosted a meeting with the Brevard Delegation prior to each legislative session, and has co-sponsored these meetings with the Brevard County School Board and the UCF Southern Region Campuses. Mrs. Wilson added that it is also important for BCC Board members to meet with the School Board. Dr. Drake indicated that at the invitation of Dr. Richard DiPatri, Superintendent, the BCC and School District senior staff members will be meeting in the near future.

UFF/BCC Agreement Clarification

Dr. Drake clarified that the agreement with UFF/BCC is reflected in the budget.

12. ADJOURNMENT:

There being no further business to be brought before the Board, the meeting adjourned at 6:27 p.m.

APPROVED: _____
Chair, District Board of Trustees

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ATTESTED: _____
Secretary, District Board of Trustees